Appln. No. 10/517,957

Amendment Dated January 28, 2009

Reply to the Office action of August 28, 2008

REMARKS

Claim 8 is amended and claim 15 is canceled. Claims 1 - 14 are pending in the application upon entry of the amendment; claims 1 - 7 and 9 stand withdrawn from consideration.

Claims 8 and 10 - 14 are rejected under § 102(b) as being anticipated by Hoechst (GB 1603030). Applicants respectfully traverse.

Applicants have amended the scope of claim 8 In order to advance the prosecution. Hoechst does not teach or suggest compounds wherein R^8 is $-C(R^{51})(R^{52})-[CR^{53}=CR^{54}]_z-R^{55}$ where z is 1 or 2, preferably 1, R^{51} and R^{52} are each independently H, halo or C_{1-2} alkyl, R^{53} and R^{54} are each independently H, halogen, C_{1-4} alkyl or C_{1-4} haloalkyl and R^{55} is phenyl substituted by halogen, C_{1-4} alkyl, or C_{1-4} alkoxy.

Accordingly, withdrawal of the §102 rejection of claims 8 and 10 – 14 over Hoechst (GB 1603030) is respectfully requested.

In view of the foregoing amendments and remarks, Applicants submit that the claims 8 and 10 – 14 are in condition for allowance. Reconsideration and withdrawal of all rejections are respectfully requested, along with the issuance of a Notice of Allowance.

Respectfully submitted,

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